

**MINUTES
TOWN BOARD EXECUTIVE MEETING
MAY 22, 2020**

The meeting was called to order at 8:00 a.m.

Present: Supervisors: Prudhon, McCune, Ruzek; Clerk: Christopherson; Attorney: Lemmons; Public Works Director: Reed; Engineers: Poppler and Studenski; Finance Officer: Tom Kelly; Planner: Tom Riedesel

The meeting was held at the Town Office Conference Room, present were the Town Finance Officer, Town Attorney, Town Clerk, Town Planner and the Public Works Director. Town Board Chair Prudhon, Supervisors McCune and Ruzek and the Town Engineers were present via telephone conference. The motions, seconds, and votes were stated by roll call as directed.

APPROVAL OF AGENDA (Additions/Deletions): Ruzek moved approval of the agenda as submitted with the addition of CEO of Lucy's email to agenda item 13A. McCune seconded. Ayes all.

APPROVAL OF MINUTES OF APRIL 24, 2020: Ruzek moved approval of the April 24, 2020 noting the minor corrections have been completed. McCune seconded. Ayes all.

2020 STREET IMPROVEMENTS – PETERSON ROAD – NEIGHBORHOOD MEETING: The Town Engineer reported on the two options that were discussed at the last Town Board meeting. The Board decided to go with the second option, which included the sidewalk alongside the road. The Town Engineer just wanted to open discussion again and decide next steps. It was noted that funding is what most people will want to know. The project will roughly cost \$1 Million including watermain, sanitary sewer, storm sewer, and the street costs. It was noted that the residents will need to be assessed at least 20% for bonding options. It was discussed whether or not the Town should host a neighborhood meeting regarding the project. There was discussion of the appraisals of the property, which accounts for about \$12,000 assessment for the street improvement.

There was much discussion on adding the sewer and water, which will significantly increase the value for the parcels. It was decided that there should not be a neighborhood meeting until it's officially decided to complete the Peterson Road project. The next steps would be to finish the feasibility report with options for the assessment,

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which won't be considered public information until it is accepted by the Town Board. Once accepted, then the Town Board would call a public hearing and neighborhood meeting. The Town Board can reject the report.

The Town Attorney will report back as well because he will speak with the appraiser with all the properties in mind, discussing specifics. Then Town staff will be in communication to put together the feasibility report. There will be more discussion at the June 1st Town Board meeting to discuss options.

WATER SYSTEM IMPROVEMENTS – UPDATE: The Public Works Director reported that the contractors are working on Well 4, boring and doing sand decompression work. The specifics were reported on: adding 21 feet of sand, releasing for 10 seconds creating a vacuum with the sand to suck the sand to the bottom of Well 4 in order to create enough room for the increase in functionality in Gallons Per Minute (GPM- the goal is from 550 GPM to 1000 GPM). For the most part the contractors aren't too far off track (a couple of weeks). There was a short delay in waiting for the approval from the Minnesota Department of Health due to the COVID-19 crisis.

There was some discussion of the COVID relief funds reimbursements, as the Town is to measure all COVID related expenses. Work will continue. There is no completion date yet since work is at least a couple of weeks behind.

I & I – UPDATE: The Public Works Director reported that he is getting a quote for the storm sewer off set on Stillwater Street east of Otter Lake Road. He is working to fine tune that area. He will get two or three additional quotes to provide the Town Board before approval is needed. There will also be some minor joint sealing to do this season, and flow meters will be installed. It was noted that data from 2019 to 2020 shows the numbers are going down a bit, based on last year's flow, and more accurate numbers from the updated flow meters that have been installed.

CLEAN-UP DAY – UPDATE: The Town Clerk reported that Republic Services will be presenting a plan for the clean-up. There will be a Special Utility Commission meeting to accept or reject the proposal for social distancing operations. The conversation regarding what will be laid out in the proposal are social distancing measures, split site, residents remaining in vehicles, licensing and bills shown through closed window, etc. There was some discussion on how this event will be impacted by the Ramsey County street improvements to County Road H2. There will be more discussion once staff and the Utility Commission reviews the proposal from Republic Services. There was some discussion of moving the site of the clean-up to Polar Lakes Park.

CHUCK MASON – 5456 TOWNSHIP DRIVE: Residents Jerri Kisslinger, 5461 Township Drive; and Chuck and Nancy Mason, 1317 Stewart Street; were present to discuss this property. Building Inspector Mike Johnson was present to answer questions and aid discussion. Johnson started by giving a recap of the Town's long history with this property and the most recent action that has been noted in the packet. On February

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11, the Town sent out an abatement order for a black Monte Carlo in the driveway. Ramsey County Sheriff to remove the vehicle, but staff is still working through the particulars with the sheriff. There have been notices sent out of excess trash, debris all over the lawn, yard not cut, etc. The tenants did remove the trash, but the yard was not cut, nor has the vehicle/auto parts been removed from the property. There was some discussion of the oil spill in the driveway, considered an illicit discharge.

There was discussion of whether or not the Town has any other legal action that can be taken. Supervisor Ruzek noted that the renewal for rental permit had been withheld previously, the goal is to find a way to ensure that the property is the landlord's problem not the Township's, either by penalizing the landlord or permanently revoking the permit. It was noted that the permit is not invalid, just pending.

Mason noted that the petition began 6 years ago, and before that, the problem with this property started about 2 years prior. He noted there are a few other locations within the Township that have problems. The problem he thinks is with the ordinances. There was some discussion on property that had had 9 vehicles removed from the property that week.

There was some discussion on surrounding communities. Vadnais Heights is noting an ordinance change in which excessive phone calls about a specific property results in immediate law enforcement visit. The Town Attorney noted that it is important to be careful, because if the Town changes an ordinance, it will apply to everyone. He noted that he will review Vadnais Height's ordinance and try to draft something up prior to the Public Safety Commission meeting on June 4th. From there, a no action item can be added for information for the Town Board on Monday, June 1st.

Mason noted another house where the trampoline is a safety hazard, in disrepair, and the Town Building Inspector will inspect. There was some discussion on removing the black Monte Carlo from the driveway. He noted that he hadn't had any communication with the owners since last fall, but Town staff will try to arrange a visit with the owner and tenants.

CODE ENFORCEMENT OFFICER / BUILDING INSPECTOR REPORT: 5305 West

Bald Eagle Boulevard: The Town Building Inspector reported that this agenda item came up about 6 months ago where there was some vehicles the Town notified the tenants to remove. There was also some unpermitted construction on the main dwelling and miscellaneous debris around the property. This property has become similar to the Township Drive property in issues. March 2, 2020 was the final notice listing violations on the property and the Town notified the residence of the court action. Listed in the packet is some email correspondence from the Ramsey County Sheriff's Department on April 21st. He noted 39 calls on this property last year and 9 calls the first quarter of 2020. There was some discussion of any citations that were supposed to be issued, and 9 illegal vehicles were removed from the property recently.

The Town Attorney noted that he will give the Board some proposed ordinances to make the landlords financially responsible, similar to the Township Drive property. There was some

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discussion of what would happen to the landlord, should he not pay any fines: it would default to his taxes. If the taxes aren't paid in 3 years, he would forfeit the property, so it's a long process. There was some discussion over the email from a resident. The Town Attorney will send a follow-up email to the resident. Town staff will work on these issues and report back at the next meeting.

HOCKEY DAY MINNESOTA – COREY ROBERTS: Corey Roberts was present to update the Town Board on the communication process of Hockey Day Minnesota and most recently the Park Board. The goal is to obtain a special events permit from the Township. The Town Board is giving verbal permission to move forward. Once the committee for the Hockey Day Minnesota 2022 is formed, they will start soliciting sponsors the end of June or early July, knowing the date could be pushed back a year if the pandemic is still in effect. The actual permit, it was determined, will wait until dates and times are officially set. The Town Board is starting on just a resolution for just a formalized aye to move forward.

PUBLIC WORKS DIRECTOR REPORT: The Public Works Director was present to report on Public Works Department activity for May of 2020. He reported on COVID related questions that have been asked. There was some discussion on portable toilets, as the Town is not able to disinfect regularly. There was discussion on the legal responsibility, and it was noted that it would be the contractor's responsibility, but they don't have the staff to maintain facilities more than once per week. It was decided that staff will just post signage and have them open June 1st.

There was discussion of Bellaire Beach, it was noted that it will open May 31st with signage of "no lifeguard on duty, swim at own risk." The contract with the YMCA life lifeguards will begin a few weeks after the Memorial Day holiday. Town staff will take photos of Ramsey County parks and beaches signage to make sure wording is appropriate.

There was some discussion of drainage issues from the last weekend's rain on the north side of the railroad tracks. There was some elevated water in ponding areas near the culvert next to the rail road. The culvert is owned by the railroad company so the County, Township, and railroad company have been in contact with one another. The culvert is the railroad's responsibility to maintain. It was noted that the Rice Creek Watershed Distract has not started on the iron sand filter nearby, and there will be an update to the Town Board when work has started. There was some discussion of other drainage issues and outfalls. It was noted that the Town should alert the Bald Eagle Lake Association about the County's project for street improvements around the lake.

CLERK-TREASURER REPORT: DNR Groundwater Management – Update: There are no new updates.

COVID-19 – Update: The Town Clerk reported that the open date for public walk in and full shifts for staff is June 1st. It was noted that the City of Hugo never closed, but had no traffic for the most part. Vadnais Heights passed a resolution urging Governor Walz to open up. No Township employees have tested positive for COVID-19.

Water Gremlin: The Town Building Inspector reported that Town staff and the fire department have inspected the temporary trailers and coining operation in the south

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building. The permits have been completed. The permit is to start in the locker room remodel. The application for the Conditional Use Permit process will be on the Planning Commission agenda.

There was some discussion over the Water Gremlin property and temporary structures. There was some discussion over the concerned citizens group and the TCE bill. There was discussion of surface water and whether or not the Town should be concerned with Water Gremlin's potential effect on surface water. There will be some discussion on these aspects at the next Utility Commission meeting.

LUCY'S REQUEST FOR OUTDOOR DINING AREA: The Town Clerk reported on the email sent from the CEO of Lucy's Restaurant request for outdoor dining. There was some discussion between the mode of tent or "structure" if the tent has walls. If it is open there are less restrictions: though the amount of people cannot exceed more than 20% of the maximum number of people that can be inside the restaurant. It was decided that it would be up to the landlord if the parking lot could be used for dining. There was some discussion of the patio area. It was noted that the Board only needs to get involved if the restaurant needs to amend the liquor license, but that they can serve alcohol as long as it's on the premises of the restaurant. If any permit is needed, it would have to be submitted with plans from subsidiary use: cannot exceed more than 20% of the building's maximum amount of people. Furthermore, the fire department and Building Inspector would need to inspect the plan, and have the lighting and power looked at. Town staff will be in touch with restaurants and help them in any way possible, but will notify the Board if any action is necessary.

ATTORNEY/CLIENT CLOSED MEETING: Ruzek moved to go into Attorney/Client closed session at 10:54 a.m. McCune seconded. Ayes all.

Ruzek motioned to return to the meeting and come out of Attorney/Client closed session at 11:05 a.m. McCune seconded. Ayes all.

The Board closed the meeting to discuss potential litigation at 5335 West Bald Eagle Boulevard.

OPEN TIME: No one was present for open time.

ADDED AGENDA ITEMS: There were no added agenda items.

RECEIPT OF AGENDA MATERIALS / SUPPLEMENTS: Ruzek moved to receive all of the agenda materials and supplements for today's meeting. McCune seconded. Ayes all.

McCune moved to adjourn the meeting at 11:06 a.m. Ruzek seconded. Ayes all.

Respectfully Submitted,

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Megan R. Cavanaugh
Recording Secretary